

Appln No. 09/721,894
Amdt. Dated May 9, 2005
Response to Office action of April 5, 2005

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REMARKS/ARGUMENTS

The Applicant thanks the Examiner for the Office Action dated April 5, 2005.

Specification

The Applicants have amended Page 1 of the specification. A patent number was incorrect due to a typographical error and has been replaced with appropriate patent number. The Applicants submit that this amendment introduces no new matter.

Amendments

Claim 1 has been amended to clarify that each tag is indicative of its own unique location coordinates on the page. Basis for this amendment can be found on page 13, lines 5-8 of the description.

Claim 1 has been further clarified to specify that the computer system associates the location coordinates of each tag with at least some of the graphic data. Basis for this amendment can be found on page 13, lines 12-18 of the description.

Claim 1 now also explicitly specifies that the pages are printed at the same time by the same printer. Page 7, lines 32-33 describes preferred forms of the Applicant's netpage printer in PCT/AU00/00561 and PCT/AU00/01281. These documents describe in detail printers configured for delivering netpages on demand by printing graphic images and coded data simultaneously. These documents are incorporated into the present application by cross-reference (see page 2, line 13 and page 1, line 20).

Claim 1 now also explicitly specifies that the data received by the computer system is generated using coded data sensed by the writing implement. Basis for this amendment can be found on page 13, lines 12-18 of the description.

Claims 21-32 have been cancelled.

Claim Rejections - 35 USC § 103

The Applicant contests the Examiner's assertion that the present invention is obvious in view of Bergelson (US 6,697,056) when combined with Dymetman ("Intelligent Paper" article) and Wright (US 4,864,618).

In particular, the Applicant disputes the Examiner's analysis of Bergelson. Bergelson fails to disclose a printed page comprising a plurality of tags, with each tag being indicative its own unique location coordinates. In the present invention, these tags allow a sensing device to determine its position relative to the page by sensing the tags. By contrast, in Bergelson there are no location-indicating tags. Hence, Bergelson determines the position of its pen by using a paper form in combination with the well-known CrossPad device. A description of CrossPad, obtained from the internet, is enclosed for the Examiner's convenience.

The Examiner will note that the CrossPad device does not use location-indicating coded data printed onto paper forms, with a pen device sensing these data. Rather, the CrossPad device relies on receivers on the device, positioned underneath the paper, which receive radio

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signals from the pen. Simple trigonometry can be used to determine the pen's position. Hence, there is no sense in which Bergelson discloses printed pages comprising tags which are indicative of a page identity and of its own unique location coordinates. Indeed, Bergelson's reliance on CrossPad in order to implement its invention, makes it irrelevant as prior art. The only similarity between Bergelson and the present invention is that both systems allow penstrokes to be captured electronically. However, since they use entirely different methods for capturing such penstrokes, the Applicant submits that Bergelson is not a valid starting point for determining the obviousness or otherwise of the present invention.

As regards Dymetman, the Applicant contests the Examiner's assertion that this document discloses that "at the time of printing the computer system associates the location coordinates of each tag with at least some of the graphic data". The passages identified by the Examiner do not contain any such disclosure. Moreover Dymetman fails to disclose that the graphic data and coded data are printed at the same time by the same printer. Throughout the present specification, it is emphasized that netpages, which are the foundation for the present invention, are available to users on demand (see, for example, page 7, final paragraph). To this end, the Applicant has developed printers capable of generating such pages to users on demand.

By contrast, Dymetman does not envisage its "Intelligent Paper" being downloadable and printable on demand. This is made especially clear by the passage on page 399, where Dymetman states:

Printing the invisible ink layer under the visible one permits (sic) to distribute white sheets of Intelligent Paper which can then be printed (or written above) in visible inks in the traditional manner ...

Dymetman clearly envisages specialist printer's distributing white sheets of Intelligent Paper, which can then be overprinted in a downstream process.

There is no disclosure in Dymetman of coded data and graphic data being printed at the same time by the same printer and a computer system associating location coordinates with graphic data at the time of printing.

Wright similarly fails to disclose coded data and graphic data being printed at the same time by the same printer and a computer associating location coordinates with graphic data at the time of printing. Indeed, Wright makes no mention at all of location-indicating tags; Wright is concerned only with invisible barcodes facilitating a postal system. The barcodes *per se* do not contain any data regarding their unique location coordinates.

In conclusion, it is submitted that the Examiner has not identified in the prior art all the features of claim 1. Moreover, the Examiner has failed to explain why the skilled person would have had any motivation to combine the cited documents. Even if the elements not disclosed in Bergelson could be found in Dymetman and/or Wright, the Examiner has not adequately explained why the skilled person would consider moving away from a system which is wholly reliant on a CrossPad device. CrossPad is clearly an essential feature of Bergelson's system and it is difficult to see why the skilled person would, having read Bergelson, consider removing entirely an essential feature and conceiving of a completely different system for addressing the same problem.

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In view of these submissions, the Examiner is requested to reconsider his objections of obviousness.

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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